

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

WESLEY BERNARD AIKEN,)	
)	
Movant,)	
)	
v.)	Case No. CV610-025
)	CR607-031
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

REPORT AND RECOMMENDATION

A jury convicted Wesley Bernard Aiken of conspiracy to violate 18 U.S.C. § 511, § 513, § 1001, § 2321 and § 2313 -- trafficking in stolen motor vehicles with altered identification numbers, forged state securities with the intent to defraud, receipt of stolen motor vehicles, and making false statements to federal law enforcement officers. CR607-931, docs. 466 (redacted indictment) & 468 (jury verdict). The Court sentenced him to 51 months' imprisonment, ordered him to make \$82,546.28 in restitution, and directed him to pay a \$100 special assessment. Doc. 628.

While appealing his case, doc. 632, Aikens declared war on reality. First, he “paid” his restitution by filing a “Creditor's promissory note of payment for the complete restitution in the sum certain amount of \$82,546.28.” Doc. 751; *see also* doc. 752 (a second promissory note to cover the \$100 special assessment against him); doc. 771 (he re-filed the \$82,546.28 note because somehow it got “accepted for value and returned for value”); doc. 772 (an additional, \$100,000,000 promissory note, apparently for good measure); doc. 773 (an additional \$1 billion promissory note, also apparently for good measure).

Second, he dismissed his own appeal with prejudice. Doc. 770. This evidently made sense to him, because he now moves for 28 U.S.C. § 2255 relief. Doc. 774. He wants out of prison and his monetary obligations discharged since, he contends, he has now made a “Satisfaction and Accord” with the government. *Id.* at 4 (Ground One, which is his only ground). In support, he attaches another \$1 Billion promissory note. *Id.* at 7; *see also* doc. 777 (his “acknowledgement” that he has tendered the promissory note “to cover any/all fees and cost in the aforesaid CRIMINAL CASE NO.; and for the release of the physical body/VESSEL of Debtor /Petitioner: WESLEY BERNARD AIKENS, and

any/all other real/personal property thereof [See e.g. FEDERAL CIVIL JUDICIAL PROCEDURES and RULES, RULE "ET" (5) (a), SPECIAL BOND]."). And, having now tendered promissory notes in the "face amount [of] 4 BILLION U.S. DOLLARS" to the government, doc. 778 at 1, Aikens also moves the Court for the release of his property. *Id.* at 2.

Pursuant to 28 U.S.C. § 2255 Rule 4, Wesley Bernard Aikens's §2255 motion (doc. 774) must be **DENIED** as pathetically frivolous. The Court also **DENIES** his "release of property" motion (doc. 778) as likewise frivolous.

SO REPORTED AND RECOMMENDED, this 3rd day of June, 2010.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT of GEORGIA